IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

RP.No. 678 of 2004(F)

(IN W.P.C.23363/04)

: REVIEW PETITIONER/PETITIONER:

V. SANKARANKUTTY, AGED 54 YEARS,
NOW WORKING AS BLACKSMITH, DISTRICT TRANSPORT
OFFICE, K.S.R.T.C., ALUVA.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SMT.SONIYA.M

RESPONDENTS:
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1. KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, TRIVANDRUM.

2. THE MANAGING DIRECTOR, K.S.R.T.C.,
TRANSPORT BHAVAN, TRIVANDRUM.

3. THE DISTRICT TRANSPORT OFFICER,
K.S.R.T.C., ALUVA.

4. KERALA STATE TRANSPORT WORKERS
CO-OPERATIVE SOCIETY LTD., T-133,
REPRESENTED BY SECRETARY, M.N. ROAD,
THAMBANUR, TRIVANDRUM.

BY ADV. SRI.JAMES KOSHY.N., SC. KSRTC
SRI.JOHNSON P.JOHN, S.C., KSRTC.
SRI.N.UNNIKRISHNAN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 06/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH J.

R.P.No.678 of 2004 in W.P.(C) No.23363/2004

Dated 6th November, 2007.

O R D E R

Review petition is at the instance of the writ petitioner. The writ petitioner had a grievance that the amounts recovered from his salary towards repayment of loan had not been remitted by the KSRTC to the 4th respondent Society. Since the amounts have been recovered from the monthly salary of the writ petitioner, it is now settled law that the employee cannot be saddled with the liability of interest, if any caused owing to the delayed remittance of the amount by the KSRTC to the Society. Therefore, it is clarified that in the event of there being any liability for the delayed remittance of the amounts recovered from the petitioner to the Society, such liability will have to be met by the KSRTC and not by the writ petitioner. KSRTC shall do the needful in the light of the above clarification within a period of two months from the date of production of a copy of this order.

The review petition is disposed of with the above clarification.

KURIAN JOSEPH, JUDGE.

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